

3



DECLARATION AND POWER OF ATTORNEY
(Docket No. 3265/857054198/74710)

I, a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

OBESITY GENE

the specification of which:

(check one) [X] is attached hereto.
 [] was filed on _____ as
Application Serial No. _____
and was amended on _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of the claims of this application in accordance with Title 37, Code of Federal Regulations, Sections 1.56(a) and 1.56(b)..

I hereby claim foreign priority benefits under Title 35 USC 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

<u>PRIOR FOREIGN APPLICATION(S)</u>	<u>DATE FILED</u>	<u>PRIORITY CLAIMED</u>
PCT/GB99/02658 Number	12/8/98 Day/Mo./Year	[X] [] Yes No
GB Country		

I hereby claim the benefit under Title 35, USC 120 of any United States Patent application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35 USC 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(App. Ser. No.) (Filing Date) (Patented/pending/abandoned)

As a named inventor, I hereby appoint the following:

Kathleen M. Williams, Reg. No. 34,380
John P. Iwanicki, Reg. No. 34,628

Peter D. McDermott, Reg. No. 29,411
Dale A. Malone, Reg. No. 32,155

the mailing address and telephone number of each of whom is BANNER & WITCOFF, LTD., 28 State Street, 28th Floor, Boston, Massachusetts, 02109, and (617) 345-9100, with full power of substitution and revocation to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

I hereby declare that all statements made herein of my own knowledge is true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Iain Clive Andrew Franklin Robinson

Inventor's signature: Iain C. A. Franklin

Date 8/02/00

Residence: United Kingdom

Citizenship: UK

Post Office Address: National Institute for Medical Research, The Ridgeway, Mill Hill, London NW7 1AA, UK

Full name of second inventor: Jonathan Paul Stoye

Inventor's signature: J. P. Stoye

Date 7-Feb-2000

Residence: United Kingdom

Citizenship: UK

Post Office Address: Centre for Cardiovascular Genetics, The Rayne Institute London WC1E 6JJ, UK
National Institute for Medical Research, The Ridgeway,
Mill Hill, London, NW7 1AA, UK.

Full name of third inventor: David Flavell

Inventor's signature: D. Flavell

Date 14/2/00

Residence: United Kingdom

Citizenship: UK

Post Office Address: Centre for Cardiovascular Genetics, The Rayne Institute, London WC1E 6JJ, UK

5 University St,

Full name of fourth inventor: Sara Elizabeth Wells

Inventor's signature: Sara Wells Date 9/2/00

Residence: United Kingdom

Citizenship: UK

Post Office Address: Department of Medicine, University of Bristol, Bristol, BS2 8HW, UK

Full name of fifth inventor: Paul Le Tissier

Inventor's signature: P. Le Tissier Date 8/2/00

Residence: United Kingdom

Citizenship: UK

Post Office Address: National Institute for Medical Research, The Ridgeway, Mill Hill, London NW1
AA, UK



UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney's Docket No. 3265/85705)

Applicant or
Patentee: Robinson et al.
Serial or
Patent No. Not Yet Assigned Filed or
Issued: Herewith

Title: OBESITY GENE

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS
(37 C.F.R. § 1.9(f) and § 1.27(d)) - NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION Medical Research Council

ADDRESS OF ORGANIZATION 20 Park Crescent, London, W1N 4AL, UNITED KINGDOM

TYPE OF ORGANIZATION:

- University or other institution of higher education
- Tax exempt under Internal Revenue Service Code (26 U.S.C. 501(a) and 501(c)(3))
- Nonprofit scientific or educational under statute of state of the United States of America
- Would qualify as tax exempt under Internal Revenue Service Code (26 U.S.C. 501(a) and 501(c)(3)) if located in the United States of America
- Would qualify as a Nonprofit Scientific or Educational Institution under the laws of a State of the United States, if located in the United States

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 C.F.R. § 1.9(e) for purposes of paying reduced fees under § 41(a) and (b) of Title 35, United States Code, with regard to the invention entitled OBESITY GENE by inventors: Iain Clive Andrew Franklin Robinson, Jonathan Paul Stoye, David Flavell, Sara Elizabeth Wells and Paul Le Tissier described in

- the specification filed herewith
- Application Serial No. _____, filed _____.
- Patent No. _____, issued _____.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above-identified invention.

If the rights held by the above identified nonprofit organization are not exclusive, each individual concern or organization having rights in the invention must file separate verified statements averring to their small entity status and that no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR § 1.9(c) if that person made the invention, or by any concern which would not qualify, as a small business concern under 37 CFR § 1.9(d) or a nonprofit organization under 37 CFR § 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

 No such person, concern or organization exists.

 Each such person, concern or organization is listed below.

FULL NAME _____

ADDRESS _____

Individual Small Business Concern Nonprofit Organization

FULL NAME _____

ADDRESS _____

Individual Small Business Concern Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which stats as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing therein, or any patent to which this verified statement is directed.

Martin Wood

M.....

NAME OF PERSON SIGNING

Deputy Director

Martin R. Wood Ph.D.

Deputy Director, Technology Transfer Group

TITLE IN ORGANIZATION

20 Park Crescent, London W1N 4AL, UNITED KINGDOM

ADDRESS

M.....

Signature

15 February 2000

Date